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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/514,649	02/29/2000	Kiyoshi Toyoda	P19157	2077
7055	7590	01/13/2006	EXAMINER	
GREENBLUM & BERNSTEIN, P.L.C. 1950 ROLAND CLARKE PLACE RESTON, VA 20191			PARK, CHAN S	
			ART UNIT	PAPER NUMBER
			2622	

DATE MAILED: 01/13/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/514,649	TOYODA, KIYOSHI	
	Examiner	Art Unit	
	CHAN S. PARK	2622	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 19-27 and 30-35 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 19,23 and 27 is/are allowed.
- 6) ☒ Claim(s) 20-22,24-26 and 30-35 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Continued Examination Under 37 CFR 1.114

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 10/21/05 has been entered.

Response to Amendment

2. Applicant's amendment was received on 10/21/05, and has been entered and made of record. Currently, **claims 19-27 and 30-35** are pending.

Response to Arguments

3. Applicant's arguments with respect to **claims 20-22, 24-26 and 30-35** have been considered but are moot in view of the new ground(s) of rejection.

Allowable Subject Matter

4. **Claims 19, 23 and 27** remain allowed.

Claim Objections

5. Claims are objected to because of the following informalities:

Claim 20, line 2, "information" should be -- the information --;

Claim 25, line 2, "image data" should be -- the image data --;

Claim 31, line 2, "information" should be -- the information --; and

Claim 34, line 2, "image data" should be -- the image data --;

Appropriate correction is required.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 20, 24, 30 and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Endo U.S. Patent No. 6,801,340.

6. With respect to claim 20, Endo discloses an image communication apparatus (fig. 3) comprising:

a scanner configured to scan image data (scanner 210);

a panel configured to input an address of a recipient (col. 4, lines 29-35);

a memory configured to store an e-mail address of a management center (either database 104 or file server 103 in fig. 1); and

a controller configured to:

convert the scanned image data into data for Internet transmission
(converter 308 in fig. 3);

attach the converted data to an e-mail (converter 308 in fig. 3); and

independently transmit the e-mail to each of the address of the recipient input by the panel and the e-mail address of the management center (fig. 4), the management center (either database 104 or file server 103 in fig. 1) managing information (same image data and image data information transmitted to other destinations) that the image communication apparatus transmits to the address of the recipient input by the panel, and being further connected to the image communication apparatus via the Internet, the management center being distinct from the recipient of the address input by the panel (fig. 4), the e-mail address of the management center being independent of the recipient of the address input by the panel (fig. 4), the e-mail being transmitted to the management center based on the e-mail address stored in the memory (fig. 4).

7. With respect to claim 24, Endo discloses an image communication apparatus (fig. 3) comprising:

a facsimile transmitter (facsimile modem 209) configured to transmit image data to a recipient based on a facsimile protocol (309 in fig. 3); and

a memory configured to store the image data to be transmitted by the facsimile transmitter (RAM 203 in fig. 2); and

an e-mail transmitter configured to:

convert the stored image data into data for Internet transmission (308 in fig. 3);

attach the converted data to an e-mail (308 in fig. 3); and

transmit the e-mail to a management center (either database 104 or file server 103 in fig. 1), the management center managing the e-mail transmitted by the e-mail transmitter, and being further connected to the image communication apparatus via the Internet, the transmitted e-mail corresponding to the image data transmitted by the facsimile transmitter, the management center being independent of the recipient to which the image data is transmitted by the facsimile transmitter based on the facsimile protocol (fig. 4).

8. With respect to claim 30, Endo teaches an image communication method (fig. 3) comprising:

scanning image data (scanner 21);

inputting an address of a recipient (col. 4, lines 29-35);

storing an e-mail address of a management center (either database 104 or file server 103 in fig. 1);

converting the scanned image data into data for Internet transmission (converter 308 in fig. 3);

attaching the converted data to an e-mail (converter 308 in fig. 3); and

independently transmitting the e-mail to each of the input address of the recipient via the Internet and a the stored e-mail address of the management center (fig. 4) via the Internet, the management center (either database 104 or file server 103) managing information (same image data and image data information transmitted to other destinations) transmitted to the input address of the recipient, the management center being distinct from the recipient of the input address, the e-mail address of the management center being independent of the recipient of the input address, the e-mail being transmitted to the management center based on the stored e-mail address (fig. 4).

9. With respect to claim 33, Endo teaches an image communication method comprising:

facsimile transmitting image data to a recipient based on a facsimile protocol (309 in fig. 3);

storing the image data to be facsimile transmitted (RAM 203 in fig. 2);

converting the stored image data into data for Internet transmission (308 in fig. 3);

attaching the converted data to an e-mail (308 in fig. 3); and

e-mail transmitting the e-mail to a management center via the Internet, the management center managing the e-mail transmitted e-mail, the e-mail transmitted e-mail corresponding to the facsimile transmitted image data, the management center being independent of the recipient to which the image data is facsimile transmitted based on the facsimile protocol (fig. 4).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 21, 25, 31 and 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Endo.

10. With respect to claim 21, Endo discloses the image communication apparatus according to claim 20, wherein the management center (either file server 103 or database 104) stores information (same image data and image data information transmitted to other recipients) that the image communication apparatus transmits to the recipient. Endo, however, does not disclose explicitly whether the management center is being browsed by a supervisor of the management center.

Examiner takes an Official Notice that managing and supervising the database or the file server by a supervisor is well known in the art. Without a supervisor of the database or the file server, the data/information stored in there would never be accessed by anyone. Therefore, it would have been obvious to obtain the invention as specified in claim 23 in view of Endo.

11. With respect to claim 25, arguments analogous to those presented for claim 21, are applicable.

12. With respect to claim 31, arguments analogous to those presented for claim 21, are applicable.

13. With respect to claim 34, arguments analogous to those presented for claim 21, are applicable.

Claim 22 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endo as applied to claim 20 above, and further in view of Wolf U.S. Patent No. 6,535,303.

14. With respect to claim 22, Endo discloses the image communication apparatus according to claim 20, but it does not disclose expressly that the controller sets a mail address of a transmission destination in a "To" field of the email and sets a mail address of the management center in a "Bcc" field of the email.

Wolf, the same field of endeavor of the facsimile transmission and broadcast art, discloses a facsimile controller for setting destination addresses in both "To" and "Bcc" fields of the e-mail for facsimile transmission (col. 6, lines 43-56).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the means for setting the destination addresses in both "To" and "Bcc" fields of the e-mail of Wolf with the facsimile apparatus of Endo.

The suggestion/motivation for doing so would have been to distinguish the addresses of the final destinations and to broadcast the facsimile image data using the "To" and "Bcc" fields of the e-mail.

Therefore, it would have been obvious to combine Endo with Wolf to obtain the invention as specified in claim 22.

Claim 32 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endo as applied to claim 30 above, and further in view of Wolf.

15. With respect to claim 32, arguments analogous to those presented for claim 22, are applicable.

Claim 26 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endo as applied to claim 24 above, and further in view of Wolf.

16. With respect to claim 26, Endo discloses the image communication apparatus according to claim 24, but it does not disclose expressly that the e-mail transmitter sets an email address of the management center in a "To" field of the email.

Wolf, the same field of endeavor of the facsimile transmission and broadcast art, discloses a facsimile controller for setting destination address in "To" field of the e-mail for facsimile transmission (col. 6, lines 43-56).

At the time of the invention, it would have been obvious to a person of ordinary skill in the art to incorporate the means for setting the destination address in "To" field of the e-mail of Wolf with the facsimile apparatus of Endo.

The suggestion/motivation for doing so would have been to distinguish the addresses of the final destinations using "To" field.

Therefore, it would have been obvious to combine Endo with Wolf to obtain the invention as specified in claim 26.

Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Endo as applied to claim 33 above, and further in view of Wolf.

17. With respect to claim 35, arguments analogous to those presented for claim 33, are applicable.

Conclusion

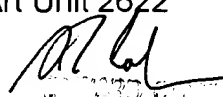
18. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CHAN S. PARK whose telephone number is (571) 272-7409. The examiner can normally be reached on M-F 8am-4:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward Coles can be reached on (571) 272-7402. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

csp
December 29, 2005

Chan S. Park
Examiner
Art Unit 2622



EXAMINER